

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

SOKOL, BEHOT & FIORENZO
433 Hackensack Avenue
Hackensack, New Jersey 07601
(201) 488-1300
Creditor
JOSEPH B. FIORENZO, ESQ.
ANTHONY M. BEDWELL, ESQ.
abedwell@sbflawfirm.com

In re:

NICHOLAS TARSIA

Debtor.

Case No. 12-15709 (DHS)

Honorable Donald H. Steckroth

Chapter: 7

Hearing Date:
March 19, 2013 at 10:00 a.m.

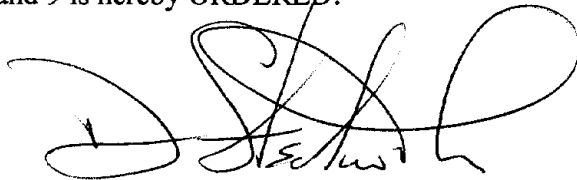
Oral Argument Requested

**ORDER FOR CONTEMPT OF COURT AND TO COMPEL
NICHOLAS TARSIA TO PRODUCE DOCUMENTS
AND APPEAR FOR DEPOSITION**

The relief set forth on the follow pages numbered 2 and 9 is hereby ORDERED:

DATED:

3/19/13


Honorable Donald H. Steckroth
United States Bankruptcy Judge

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Debtor: Nicholas Tarsia

Case No. 12-15709-DHS

Caption of Order: Order for Contempt of Court and To Compel Nicholas Trasia to Produce Documents And Appear fro Depositoin

THIS MATTER having been opened to the Court by Sokol, Behot and Fiorenzo, Esq., Creditor, on application for the entry of an Order (1) holding Tarsia in contempt for failure to comply with the January 24, 2013 Consent Order; (2) compelling him to produce all documents pursuant to said Order on or before April 2, 2013; (3) compelling him to appear for deposition on or before April 23, 2013 at the law offices of Sokol, Behot & Fiorenzo; and (4) awarding Sokol, Behot & Fiorenzo counsel fees and costs incurred in connection with the filing of this motion.; on notice to the Office of the US Trustee; Robert Wasserman, Esq., Trustee; Wasserman Jurista & Stolz, PC, attorneys for the Trustee; Barry E. Levin, Esq., attorney for Debtor; John R. Morton, Jr., Esq., attorney for Creditor Chase Auto Finance Corp.; Hill Wallack, LP, Attorney for Creditor Sovereign Bank; Kathleen R. Wall, Esq., attorney for Creditors Anthony Carlo, Daniel Carol and Karen Carol; Roger Rue, Tax Compliance Representative, NY State Department of Taxation & Finance, Bankruptcy Unit, Creditor; Werdann DeVito, attorney for Creditor American Express Centurion Bank; Atlas Acquisitions, LLC, Creditor; and Atlantic Stewardship Bank, Creditor; and the Court having read and considered the moving and opposing papers filed in connection herewith, having heard argument of counsel, and for good cause having been shown for the making and granting of the within Order;

IT IS on this _____ day of March 2013

ORDERED as follows:

1. Nicholas Tarsia has violated the Court's January 24, 2013 Consent Order and is in contempt of this Court;
2. Nicholas Tarsia shall produce all documents pursuant to the January 24, 2013 Consent Order and as set forth on the annexed Schedule A on or before April 2, 2013;
3. Nicholas Tarsia shall appear for deposition at the offices of Sokol, Behot and Fiorenzo, Esq., 433 Hackensack Avenue, Hackensack, New Jersey, on April 23, 2013;
4. Sokol, Behot & Fiorenzo is hereby awarded reasonable attorneys' and fees and costs incurred in connection with the filing of this motion, to be paid by Nicholas Tarsia and established by submission of a supporting Certification of Sokol, Behot & Fiorenzo together with a proposed Order within seven days of the date of this Order. ~~Within seven days thereafter, Nicholas Tarsia may submit a Certification opposing the reasonableness of the amount of fees and costs, which shall thereafter be determined by further Order of the Court.~~
5. A true copy of the within Order shall be served upon all counsel and creditors as set forth above.

SCHEDULE A

1. A copy of all documents evidencing or relating to any settlement agreement entered into between you and Joseph F. Spiezio, III, including but not limited to the Stipulation of Settlement attached as Exhibit A to the Subpoena.

2. A copy of all documents evidencing or relating to "the changes and modifications of the 2008 confidential settlement agreement" as referenced by you in paragraph 7 of the affidavit as Exhibit B to the Subpoena.

3. A copy of all Notes, Security Agreements, and Mortgage(s) created pursuant to the terms of the Stipulation of Settlement attached as Exhibit A to the Subpoena.

4. A copy of all documents evidencing or relating to the alleged assignment and changes to the terms and conditions of the "note in question" as referenced by you in paragraph 9 of the affidavit attached as Exhibit B to the Subpoena.

5. All documents evidencing or relating to your alleged agreement not record the mortgage referenced by you in paragraph 11 the affidavit attached as Exhibit B to the Subpoena.

6. A copy of the "original mortgage" referenced by you in paragraph 11 of the affidavit attached as Exhibit B to the Subpoena.

7. A copy of all documents evidencing or relating to the alleged assignment of the "note referenced in the Fiorenzo objection" to the Spiezio Organization, LLL as referenced by you in paragraph 17 of the affidavit attached as Exhibit B to the Subpoena.

8. A copy of all documents evidencing or relating to your alleged release of "Joni Property Trust, LLC of its obligations under the note" as referenced by you in paragraph 17 of the affidavit attached as Exhibit B to the Subpoena.

9. A copy of all documents evidencing payments received by you under the terms of the Stipulation of Settlement attached as Exhibit A to the Subpoena.

10. A copy of all documents evidencing or relating to the "Totowa Garden, LLC note(s)" referenced in the attached letter dated December 31, 2009, attached as Exhibit C to the Subpoena.

11. A copy of the Operating Agreement and Amendment(s) thereto relating to Totowa Garden, LLC.

12. A copy of all documents evidencing or relating to the transfer of any membership interest in Totowa Garden, LLC.

13. A copy of all books and records of Totowa Garden, LLC in your possession or under your control, including but not limited to any and all financial, banking, and business records of Totowa Garden, LLC in the possession of any banks or accountants.

14. A copy of all documents evidencing or relating to the assignment of the note (if any) referenced in the letter dated January 11, 2010 attached as Exhibit D to the Subpoena.

15. Copies of all documents, including but not limited to, canceled checks, bank statements, and passbooks, with respect to all accounts, savings accounts, checking accounts, deposit accounts, brokerage accounts, Certificates of Deposit, bond accounts, mutual funds, dividend reinvestment accounts or any other investment accounts in which you had an interest or that were in your name from January 1, 2008 to present.

16. Copies of all stock certificates, mutual funds, shares, bond or other forms of securities of any kind, type or class of any corporation, firm, business, government or government agency in which you held an ownership interest or which were in your name at any time from January 1, 2007 to present.

17. Copies of all deeds, or other documents, evidencing your ownership or interest in any and all parcels of real estate, and/or any buildings or improvements situated thereon from January 1, 2005 to present.

18. Copies of all financial statements prepared by you, or on your behalf from January 1, 2007 to present.

19. Copies of all homeowner's insurance policies, together with all riders issued in connection therewith, obtained by you since January 1, 2005.

20. Copies of all documents evidencing your ownership or lease of any motor vehicles since January 1, 2008.

21. Copies of all motor vehicle insurance policies obtained by you since January 1, 2008.

22. Copies of all appraisals or other written valuations performed with respect to any real or personal property owned by you or in which you had an interest from January 1, 2005 to the present.

23. Copies of all documents evidencing your equity ownership or interest in any corporation from January 1, 2005 to the present.

24. Copies of all documents evidencing any interest held by you in any partnership from January 1, 2005 to the present.

25. Copies of all documents evidencing your ownership interest in any form of business entity or investment vehicle from January 1, 2005 to the present.

26. Copies of all financial statements received by you since January 1, 2007 with respect to any corporation, partnership or other business entity or investment vehicle in which you held an ownership interest.

27. Copies of all tax returns filed on your behalf with any taxing authorities for tax years 2007 to present including all returns with respect to any corporation, partnership or other business entity or investment vehicle in which you held an interest.

28. A copy of all of your 1099's from January 1, 2007 to present.

29. Copies of all documents evidencing any loans you have made to any other party which were outstanding at any time from January 1, 2007, together with all loan agreements, notes, mortgages and security agreements, if any, executed in connection therewith.

30. Copies of all documents evidencing any loans made to you by any person or entity which were outstanding at any time from January 1, 2007, together with all loan agreements, notes, mortgages and security agreements, if any, executed in connection therewith.

31. Copies of all documents evidencing any loans made to another person or entity which were outstanding at any time from January 1, 2007, for which you are or were primarily or secondarily obligated, together with all loan agreements, notes, mortgages and security agreements, if any, executed in connection, therewith.

32. Copies of all documents evidencing the existence of any mortgage or security interest with respect to any real or personal property owned by you or in which you had an interest from January 1, 2005, including the most recent payoff statement in connection therewith.

33. Copies of all documents which prove that any property in your control at the time that you filed your petition is owned by another.

34. A copy of any retainer agreement executed between you and your bankruptcy attorney, including any documentation with respect to any retainer or fees paid by you to such firm.

35. Copies of all judgments, if any, that you have obtained against any other party.

36. Copies of all judgments that you are aware of that have been obtained against you.

37. Copies of all documents which contain, refer or relate to any retirement accounts maintained by you from January 1, 2007.

38. Copies of all documents which contain, refer or relate to any Keough Plans maintained by you from January 1, 2007.

39. Copies of all documents which refer or relate to any 401(K) or other pension plans maintained by you from January 1, 2007.

40. Copies of all documents referring or relating to any transfer of your interest in any corporation, partnership or other business entity to any person or entity within four (4) years prior to the date that your bankruptcy case was commenced.

41. Copies of all documents referring or relating to any transfer of assets (in excess of \$2,000.00 per transfer) made by you to any person or entity within four (4) years prior to the date that this bankruptcy case was commenced.

42. Copies of all insurance policies under which you were named as the insured or as a beneficiary from January 1, 2007.

43. Copies of all trust agreements under which you were named as a beneficiary from January 1, 2007.

44. Copies of any leases for real property under which you were the lessor or lessee from January 1, 2007 to present, and any and all documents relating to any security deposits in connection therewith.

45. Copies of all checks or other documents evidencing any payments or transfers made by you to any person or entity within one year immediately preceding the commencement of this bankruptcy case.

46. Copies of any and all leases to which you are or were a party from January 1, 2007.

47. Copies of any and all of your credit card statements from January 1, 2007.

48. All documents evidencing your employment and/or income during the last four (4) years.

49. Any and all documents evidencing, referring or relating to any and all sales or transfers of real property in which you had an interest, or which were made by any entity(ies) in which you had an ownership interest, from January 1, 2005 to present, including deeds, closing statements, affidavits of consideration and any and all documents evidencing the disposition of the sale proceeds.

50. A copy of all employment agreements to which you have been a party from January 1, 2007 to present and all documents referring or relating to your employer's bonus policies.

51. Any and all documents referring or relating to any transfers made by you to your spouse, children or any other family member or insider from January 1, 2007 to present.

52. Any and all documents evidencing, referring and/or relating to your interest in the following entities and the value thereof, all operating agreements, shareholder agreements, or partnership agreements, and all financial statements and books and records relating to the following and any and all documents referring or relating to any transfer of any interest you had in any of the following:

- a. Co-Tar LLC;
- b. PT Properties, LLC;
- c. Cambridge Management;
- d. Cambridge Real Estate, LLC;
- e. Totowa Gardens Management Corp.;
- f. Totowa Gardens, LLC;
- g. Aron Gold Realty, Inc.;
- h. Stealth Realty Limited Partnership;
- i. P.T. Properties, LLC;
- j. Pine Shore Limited Partnership;
- k. Joni Apparel Associates, LLC;
- l. F & T Partners, LLC;
- m. Little Dreamers Early Learning Center, LLC
- n. Little Dreamers Day Care Center, LLC
- o. Cotar, LLC;
- p. CARTAR, LLC;
- q. Executive Group Real Estate Services, LLC;
- r. TARBAR, LLC;
- s. Pinnacle One Associates, LLC;
- t. Revolution Marine & Sports Center, LLC;
- u. Tribeca Partners, LLC;
- v. Trident Marketing, LLC; and
- w. Port Oil, Inc.

53. The name, address and phone number of the others with interests in the entities listed in document request number 38.

54. Any and all documents referring or relating to any income or funds received by you from any entity from November 1, 2009 to date, and all documents evidencing the disposition of said income or funds.

55. A copy of your passport.

56. Any and all documents referring or relating to any and all bank accounts outside the United States in your name or in the name of any entity in which you have an interest, and if any, the filed Form TD 90.22 Report of Foreign Bank and Financial Accounts associated therewith.

57. The original Notes (or if not available, a copy thereof) with respect to the Notes receivable referred to in Schedule I of your bankruptcy petition.

58. An accounting of the amount received and due on the Notes receivable referred to in Schedule I of your bankruptcy petition.

59. A copy of the deeds, mortgages and current mortgage statements with respect to the Totowa real estate listed in Schedule A of your bankruptcy petition.

60. Any and all documents referring or relating to the value of the baseball cards listed in Schedule B of your bankruptcy petition.

61. Any and all documents referring or relating to the New York criminal case referred to in Schedule J of your bankruptcy petition.

62. Any and all documents referring or relating to the debt due and owing to Doar, Reick, Kaley & Mack and evidencing any payments to said entity, including the \$25,000.00 payment referred to in your Statement of Financial Affairs.